



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd Floor
New York, New York 10007*

January 24, 2022

By ECF

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *D.J.C.V., et al. v. United States of America*, No. 20-cv-5747 (PAE)

Dear Judge Engelmayer:

The parties provide the below update regarding the above-captioned case. On December 13, 2021, the Court granted the parties' application to continue the stay in this matter pending settlement discussions through January 24, 2022, and ordered that the parties provide an update by that same date. *See* Dkt. No. 102. The parties write to respectfully request an additional 30-day stay of this matter until February 23, 2022.

As the parties informed the Court in their prior status letters, the United States and a group of counsel coordinating negotiations on behalf of plaintiffs and claimants ("Coordinating Counsel") were attempting to reach a nationwide resolution of actions arising from family separations at the United States/Mexico border that occurred during the prior administration. Those settlement talks have since ceased without a global resolution being reached. However, with respect to this specific litigation, Plaintiffs intend to convey a settlement offer to the United States, which it will evaluate. The parties jointly request that this action be stayed for an additional 30 days for the parties to explore whether this individual action may be resolved without the need for further litigation.

However, the parties are also cognizant of the Court's prior orders with respect to jurisdictional discovery. To that end, Defendant intends to, during this stay (if granted), begin to gather documents that are responsive to Plaintiffs' discovery demands in an effort to help discovery proceed in a timely fashion in the event it becomes necessary.

Accordingly, the parties respectfully request that the stay in this matter be continued to February 23, 2022, and that the parties provide the Court with a status update by that same date.

We thank the Court for its consideration of this matter.

Page 2 of 2

Respectfully,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

/s/ Alexander J. Hogan
ALEXANDER J. HOGAN
REBECCA R. FRIEDMAN
Assistant United States Attorneys
86 Chambers Street, Third Floor
New York, New York 10007
Tel.: (212) 637-2799/2614
E-mail: alexander.hogan@usdoj.gov
rebecca.friedman@usdoj.gov